

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WASHINGTON MUTUAL BANK, <i>et al.</i> ,)	CASE NO. 1:07CV00683
)	
Plaintiffs,)	
)	JUDGE BENITA Y. PEARSON
v.)	
)	
PATRICIA A. CHIAPPETTA, <i>et al.</i> ,)	
)	<u>MEMORANDUM OF OPINION</u>
Defendants.)	<u>AND ORDER</u>

The Court has conducted a *de novo* review of the Report and Recommendation of Magistrate Judge Nancy A. Vecchiarelli ([ECF No. 183](#)) recommending that the Court return for reconsideration Magistrate Judge James S. Gallas' ruling on Plaintiff Washington Mutual Bank's Motion for Partial Summary Judgment ([ECF Nos. 61, 62](#)). [McCombs v. Meijer, Inc., 395 F.3d 346, 360 \(6th Cir. 2005\)](#). In conducting this review, the Court considered Defendants John and Patricia Chiappetta's Motion for an Extension of Time to File Challenges to Plaintiff JP Morgan Chase Bank Status as the Proper Holder of the Note and Mortgage, Instanter ([ECF No. 190](#)) as an objection to Magistrate Judge Vecchiarelli's Report and Recommendation, pursuant to [28 U.S.C. § 636\(b\)\(1\)](#).

The Court hereby overrules the objection; accepts the recommendation of Magistrate Judge Vecchiarelli; vacates the ruling issued by Magistrate Judge James S. Gallas; and returns

the matter to Magistrate Judge Nancy A. Vecchiarelli for reconsideration. Accordingly, the motion for extension of time is denied, without prejudice to the Chiappetta's to seek from Magistrate Judge Nancy A. Vecchiarelli an opportunity to more fully brief the matter.

IT IS SO ORDERED.¹

March 15, 2011

Date

s/ Benita Y. Pearson

United States District Judge

¹ The matter is referred to Magistrate Judge Vecchiarelli for general pretrial supervision. [ECF No. 175](#).